

**Re. Box No. V**

**Reasoned determination with respect to novelty, inventive step and commercial applicability; documents and explanations to support this determination**

1. The following publications, cited in the research report, are named; the numbering is also retained as in the further procedure:

D1: US 2003/226143 A1 (MICHAEL EREZ ET AL) December 4, 2003  
(2003-12-04)

D2: W0 03/077550 A (NOKIA CORPORATION, IKONEN, ARI) September  
18, 2003 (2203-09-18)

2. The object of **claim 1** is not new (article 33 (2) PCT)

Publication **D1** (refer especially to paragraphs 42-43; Fig 1, 7) discloses, in agreement with all the features of claim 1,  
a method for distributing short messages to a video user with a short message being sent to a short message distribution center (see "SMSC" in paragraph 42, sentence 4),  
the short message from this distribution center being forwarded to a video control device (see "TV gateway" in paragraph 42 sentence 4) (see "TV gateway" in paragraph 42 sentence 4),  
the message from this device being communicated to a video user (see "any ...code... may be... mapped to the appropriate address by the TV gateway" in paragraph 42 sentence 4).

3. The dependent **claims 2 to 4** appear to contain no additional features that in combination with the features of any claim to which the claims are referred appear to meet the requirements of the EPÜ with respect to an inventive step.

The transmission of messages using the IP protocol (claim 2) and the addressing using an IP address (claim 4) is already generally known in TV networks, see also **D2**, page 20, lines 21-22.

In D1 (see paragraph 42, sentences 2 and 3) the addressing already takes place via a PSTN call number (claim 3).

4. The object of the independent **claim 5**, to the extent to which it can be understood (see section VIII), appears to satisfy the requirements of article 33 (1) PCT.

D1 discloses an addressing of SMS to individual users of a video network.

In this case, the addressing takes place in such a way that the recipient address given by the sender contains a prefix that indicates to the SMS distribution center that this SMS is to be forwarded to the video network. The recipient address in this case corresponds to a set top box.

If messages are now to be forwarded to individual users that can be reached under the same set top box, an encoding with an individual ID must take place. The set top box is then responsible for ensuring that only the individual user has access to the message.

The object of the invention is to enable a centralized personalization of the recipient.

According to the invention, this object is achieved in that the video control device logs on all its message service users to the short message distribution center with corresponding addresses.

The need to use special routing prefixes for the address is obviated. The video control center knows all the allocated addresses and at the same time has, as part of its characteristic as a video control centre, knowledge of the identity of the subscribers actually connected at the particular timepoint.

This enables central control and billing of the short message service.

This solution is neither disclosed nor approximated by the available prior art, in D2 also the addressing takes place by means of a fixed hierarchical addressing system, i.e. a particular IP address space for all subscribers of the video service. Again it is the individual set top boxes that are responsible for ensuring that only the intended recipient has access to the message.

5. The dependent **claims 6 to 8** comply with article 33 (1) PCT at least due to its reference to the independent claim 5.
6. The object of the independent **claim 9**, as far as it can be understood (see section VIII), on its own, i.e. separate from the video control device, does not solve the objective problem of the personalization of the recipient of short messages and thus does not fulfill the requirements of article 33 (3) PCT, because the solution of a technical problem is according to the approach to solving the problem, a necessary precondition for an inventive step.

## **Re. Box No. VII**

### **Certain deficiencies with regard to form and content**

1. The features known in connection with each other from **D1** would have to have been included in the pre-characterizing clause of the independent claims, to comply with rule 6.3.(b)PCT.
2. To meet the requirements of rule 5.1 (a)(ii) PCT, document D1 would have to be mentioned in the description and the relevant prior art contained therein briefly outlined.

**Re. Box No. VIII**

**Certain remarks with regard to the international application**

1. Although **claim 5** is formally directed only to a video control device, it does contain features that refer to a short message distribution center that is not part of the video control device. Therefore, it is not clear which object should come under claim 5, (article 6 PCT).
2. Equally, the independent **claim 9** is directed only to a short message distribution center but contains features that refer to a video control device that is not part of the short message distribution centre. Therefore it is not clear which object should come under claim 9 (article 6 PCT).
3. Although claims **5 and 9** are directed to a device, they contain procedural steps which means that this category of these claims is not clear (article 6 PCT).